



PCT

MAIL STOP PATENT APPLICATION
Attorney Docket No.: 25081-Y

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

17513 U.S. PTO
10/811496



In re Application of:

SENN-BILFINGER et al.

Serial No. Not Yet Assigned

Filed: April 1, 2004

Title: **PYRANO[2,3-C] IMIDAZO [-1,2-A] PYRIDINE DERIVATIVES FOR
THE TREATMENT OF GASTROINTESTINAL DISORDERS**

(This is a Continuation application of U.S. Patent Application
10/182,620 filed October 1, 2002 which is a 371 of PCT/EP01/03510
filed March 28, 2001)

FILING FORM

FOR CONTINUATION U.S. PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. This is a Request for filing a
- ☒ Continuation Application under:
 - ☒ 37 CFR § 1.53(b)(1)
 - ☐ Divisional Application under:
 - ☐ 37 CFR § 1.53(b)(1)
 - ☐ Continuation-In-Part (CIP) application
 - ☐ 37 CFR § 1.53(b)(2)

of **prior** ("parent") application:

Serial No. 10/182,620

Filed: October 1, 2002

Entitled: **PYRANO[2,3-C] IMIDAZO [-1,2-A] PYRIDINE
DERIVATIVES FOR THE TREATMENT OF
GASTROINTESTINAL DISORDERS**

Which is a 371 of **prior International** application:

Serial No.: PCT/EP01/03510

International Filing Date: March 28, 2001

Entitled: **PYRANO[2,3-C] IMIDAZO [-1,2-A] PYRIDINE
DERIVATIVES FOR THE TREATMENT OF**

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APR - 6 2004
OIP/E/JCWS

GASTROINTESTINAL DISORDERS

Attorney No. 25081-Y

2. X Enclosed for application under 37 CFR §§ 1.53(b) are:
 24 pages of text (specification, claims, cover sheet
 with abstract)
 10 claims
 0 sheets of drawings

3. The **present** application names the following inventor(s):

Jörg SENN-BILFINGER and Wilm BUHR

 (37 CFR § 1.53--"CIP") The above-identified application (in which no payment of the Issue Fee, abandonment of or termination of proceedings has occurred) is hereby expressly abandoned as of the filing date of this new application.

The **Total Filing Fee** is calculated as follows:

 Enter the Amendment filed in the prior patent application on prior to calculating the filing fee.

 X Enter the enclosed Preliminary Amendment prior to calculating the filing fee.

| (Col 1) | | | (Col 2) | | SMALL ENTITY | | OR | NON-SMALL ENTITY | |
|------------------------------|------------------------|----------|------------------------|--|--------------|-----|----|------------------|-----|
| | NUMBER OF CLAIMS FILED | | NUMBER OF EXTRA CLAIMS | | RATE | FEE | | RATE | FEE |
| TOTAL | 14 | minus 20 | 0 | | x9= | 0 | | x18= | 0 |
| INDEP | 1 | minus 3 | 0 | | x43= | 0 | | x84= | 0 |
| BASE FILING FEE: | | | | | +385= | 0 | | +740= | 770 |
| xx Multiple Dependent Claims | | | | | +140= | 0 | | +280= | 0 |
| | | | | | TOTAL | 0 | OR | TOTAL | 770 |

 Applicant(s) is/are a "small entity". A Verified Statement Claiming Small Entity Status:

 was filed in the parent application, and small entity status is still proper and desired (Rules 60, 62 only);
 is filed herewith;
 will be filed at a later date.

 X A check including the above-indicated filing fee is enclosed.

 X A Petition for Extension of Time (to keep the parent case pending) is filed concurrently in the parent case.

 Assignment document(s) is/are submitted herewith, with a check

including the recordation fee of \$40.00 per Assignment.

Attorney docket no. 25081-Y

 No check is enclosed. A Declaration and Power of Attorney will be submitted at a later date pursuant to 37 CFR §§ 1.41, 1.53, together with a check for the "Total Filing Fee" calculated above and a surcharge under 37 CFR § 1.16(e).

 X The prior application is assigned of record to ALTANA PHARMA AG of Konstanz, GERMANY, the Assignment being recorded on October 1, 2002, on Reel 013342, Frame(s) 0874.

 An original executed Declaration is enclosed.

 X Amend the specification by inserting before the first line the sentence:

 -- This is a Continuation application of U.S. Patent Application 10/182,620 filed October 1, 2002 which is a 371 of PCT/EP01/03510 filed March 28, 2001 which claims priority to European patent application no. 00106690.1 filed March 29, 2000, the contents of which are hereby incorporated by reference in its entirety.--

 X Foreign priority under 35 U.S.C. § 119 of GERMAN application(s) 00106690.1, filed March 29, 2000, is hereby claimed. The certified priority paper(s):

 X was/were filed in the parent case;
 is/are enclosed herewith;
 will be submitted at a later date.

 X The power of attorney in the prior application is to Gary M. Nath, Registration No. 26,965, Customer No. 34375 et al.

 X The Power of Attorney appears in the original papers in the prior application.

X Address all future communications to:

~~Gary M. Nath~~ *Todd Juneau*
NATH & ASSOCIATES PLLC
1030 15th Street, N.W.- 6th Floor
Washington, D.C. 20005


— If extensions of time under 37 CFR § 1.136 other than those provided herewith are required to prevent abandonment of the parent application, then such extensions of time are hereby petitioned to allow copendency of the parent and the present continuing application. The Commissioner is hereby authorized to charge fee deficiency under 37 CFR § 1.17, or credit any overpayment, to Deposit Account No. 14-0112.

X The Commissioner is hereby authorized to charge any fee deficiency under 37 CFR § 1.16 and 1.17 which may be required, or credit any overpayment, to Deposit Account No. 14-0112.

Respectfully submitted,

NATH & ASSOCIATES PLLC

Date: April 1, 2004



Gary M. Nath
Registration No. 26,965
Todd L. Juneau
Registration No. 40,669
Customer No. 34375

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TRANSMITTAL LETTER

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:


Submitted herewith for filing in the U.S. Patent and Trademark
Office is the following:

- (1) Transmittal Letter;
- (2) Filing Form For Continuation U.S. Patent Application;
- (3) Continuation application including:
 - 24 Pages Application Consisting of:
 - 1 Cover Page containing the Abstract,
 - 20 Pages of Textual Specification,
 - 3 Pages of 10 Claims,
 - 0 sheets of drawings;
- (5) **Preliminary Amendment with Appendixes A, B and C;**
- (6) Copy of executed Declaration from parent application;
- (7) Copy of Assignment with Notice of Recordation;
- (8) Check No. 20754 \$ 770.00 for filing fee;
- (9) Postcard for early notification of serial number.

Respectfully submitted,

NATH & ASSOCIATES PLLC

By:



Gary M. Nath

Registration No. 26,965

Todd L. Juneau

Registration No. 40,669

Customer No. 34375

Date: April 1, 2004

NATH & ASSOCIATES PLLC

1030 15th Street, NW - 6th Floor

Washington, D.C. 20005

GMN/TLJ/dd:CONTappl.trans